

Minutes of the Judiciary and Law Enforcement Committee - July 8, 2005

The meeting was called to order at 8:30 a.m. by Chair Mitchell. Supervisor Tortomasi led the committee with the Pledge of Allegiance.

Present: Chair William Mitchell, County Board Supervisors Kathleen Cummings, Carl Seitz, David Swan, Jean Tortomasi; **Absent:** Keith Harenda, Mareth Kipp

Staff Present: Legislative Policy Advisors Dave Krahn and Mark Mader, Legis.Associate Sandra Meisenheimer

Also Present: Sheriff Deputy Inspector Steve Marks, Lt. Chuck Wood, Business Mgr. Tom Koth, CJCC Coordinator Shelly Cyrulik, Judge Kathryn Foster, Senior Financial Analyst Mike Baniel

Approve Minutes of June 28, 2005

Motion: Tortomasi moved, second by Swan, to approve the minutes of 6/28/05. **Motion carried 5 – 0.**

Executive Committee Report by Bill Mitchell of June 20, 2005

Mitchell reviewed items that were discussed and/or considered at the last meeting on June 20.

Future Agenda Items by Committee Members

Cummings suggested a discussion on restraining orders and safety. Tortomasi asked about agendizing the K-9 unit.

Future Meeting Dates

The next committee meeting is scheduled for Friday, July 29. Cummings said she might not be able to attend the meeting on July 29.

Consider Proposed Ordinance: 160-O-029 Amend Sheriff's Department 2005 Budget Expenditure of Office of National Drug Control Policy Cooperative Agreement Funds

Marks, Wood and Koth were present. Marks said these are HIDTA (High-Intensity Drug Trafficking Areas) funds in the amount of \$56,046 that have already been approved and will be used for highway enforcement, hotel/motel interdictions and other drug related enforcements. Also, part of this is for the Fugitive Task Force -- there is a detective from Waukesha County who is part of the Marshall's office in Milwaukee. Wood said HIDTA is a federally sponsored regional program. They assist Waukesha County with information, provide free training several times a year and, in this instance, they help with over-time costs for interdiction efforts. They actually come out to the Metro Drug Unit and attend meetings and assist whenever requested. Marks explained the handout that was distributed detailing how the funds will be used to enhance the Sheriff Department's efforts.

Tortomasi asked who decides that Waukesha County gets \$56,000? Marks said it is through the Office of Justice Assistance. Wood said they look at the threat assessment and also look at group performance. Because Waukesha County has been doing very well, they're seeing a good return.

Motion: Cummings moved, second by Tortomasi, to approve Ordinance 160-O-029. **Motion carried 5 – 0.**

Consider Proposed Ordinance: 160-O-030 Amend 2005 Sheriff's Department Budget Expenditure of Seized Funds, June 2005

Marks said last year a group of officials from Russia visited the Waukesha County Sheriff Department to work with the Metro Drug Unit for ten days. They are now inviting Waukesha County to visit Russia. The Sheriff's Department is requesting \$4,000 for travel costs associated with sending a lieutenant from the Metro squad to Russia to observe drug investigations and seizure methods used by the Russian Police Department. In addition, \$4,200 is being requested for travel and training costs associated with having two deputies trained through the Law Enforcement Fitness Instructor Program to be in-house fitness instructors to lead a new voluntary fitness program proposed by the Sheriff. The department is requesting the use of \$8,400 of seized assets for these two expenditures to enhance law enforcement efforts in Waukesha County.

Motion: Tortomasi moved, second by Swan, to approve Ordinance 160-O-029. **Motion carried 5 – 0.**

Status Update on the Criminal Justice Collaborating Council (CJCC)

Cyrulik and Foster were present. Cyrulik stated regarding the Treatment Court Grant application, they've been asked to update their budget. They will resubmit their budget and wait to hear. On the Council end it has been a couple of quiet months. Strategic planning was done in April with the Council members, and the top priority that came out was evaluate, evaluate, evaluate. She is also working with Human Services on evaluating the Community Transition Program (Shirley Program) and the Community Service Options Program, which is a program at Huber in collaboration with the Department of Corrections.

Cyrulik stated regarding the Data Committee (Chair Carolyn Evenson), there has been a lot of talk about the data warehouse project. The courts data (CCAP) should be in by the end of this month. She indicated that Phase 2 is getting the jail data in, and Phase 3 will be the District Attorney's data. After all three sets of data are put into the warehouse, they will work on linking it.

Cyrulik said the Juvenile Justice Committee is working on communication between the courts, human services, school districts and law enforcement.

Mitchell asked about the Juvenile Restitution Committee, which he realizes has ended. However, is there any follow-up to make sure things happen? Cyrulik said there will be. As soon as the budget is finished, she will follow up with Judge Van De Water and the issues that were left open.

Cyrulik said two new workgroups have been created. The first is to study the release of sex offenders on several issues, look at what other jurisdictions are doing, and make recommendations to the Council as to whether this workgroup should become a standing committee. Karl Held of Probation and Parole will head the workgroup. Another workgroup will look at Orders to Produce (OTP), which is the transportation of inmates from State institutions or other county jails to Waukesha County for court appearances. These costs currently are in the courts budget. Judge Foster went on to explain many of the issues surrounding the Orders to Produce.

Update on Costs and Issues Associated with the Oswald Trial

Baniel and Foster were present. Baniel referred to the handout entitled "T. Oswald Summary of County Expenditures, 12/04 through 6/05." He stated the numbers were put together based on the figures received from the departments. The net costs are: Circuit Court Services (\$115,738); District Attorney (\$21,519); and Sheriff (\$101,065), less the amount billed to Circuit Court Services of \$73,951, for a net cost of \$27,114 to the Sheriff Department, based on supervisory and other costs not

billed to Circuit Court Services, for a Total Net County Cost of \$164,371. These are preliminary costs through June 30, 2005.

Mitchell asked where does the money come from? Was there contingency set aside? Baniel said right now all of these expenditures are in the respective departments' budgets using their base budget funding. They have not received any additional appropriations to offset costs. At year-end, if any department needs additional appropriation, funds will be transferred from contingency. There is \$1.35 million in contingency at this time.

Swan asked would you have any suggestions on how everything could be done better at a future trial of this type? Foster replied she is happy to publicly state that she thought the Sheriff Department did a fantastic job on security. She never felt threatened and hopes no one in the courtroom did either. The total cost for security was \$70,830, but what would it have cost if someone had been injured? Several zeros would have been added to that amount.

Swan asked what other concerns did you have besides security? Foster said if you could figure out a cheaper way to transport the jurors, which was quite expensive, that would be good. Also, there was a special exit questionnaire developed for the jurors for this trial, and they are still waiting on getting back all of the replies. She said she doesn't really have any complaints about anything. Everything went smoothly and was handled in a very professional way.

Legislative Update

Krahn stated that the budget is on the governor's desk and awaiting the line item vetoes. However, the entire budget being vetoed cannot be ruled out although that happening is unlikely. Krahn stated, pertaining to this committee, the AODA Grant Program is in the budget, and it is hoped the governor will save it, as well as probate copies being increased from \$1 to \$1.25. The Mental Health Pilot Program for inmates re-entering the community was inserted into the budget and makes a lot of sense. The governor has until the middle of August to make his decision, but he probably will make it before then.

Krahn distributed the State Legislation Chart pertaining to the Judiciary Committee as of 7/8/05, which he reviewed. He covered the following with the committee: AB 79, AB 211, AB 263, AB 495, and SB 132.

Motion to adjourn: Seitz moved, second by Swan, to adjourn the meeting at 10:23 a.m. Motion carried 5 – 0.

Respectfully submitted,

Mareth K. Kipp
Secretary

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